

## CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE UNITED STATES  
PATENT AND TRADEMARK OFFICE, FAX NO. (703) 872-9302 ON 19 July 2004.

NAME OF PERSON SIGNING CERTIFICATE: Scott J. Anchell

SIGNATURE: Scott J. AnchellOFFICIAL  
RECEIVED  
CENTRAL FAX CENTER

JUL 19 2004

Attorney Docket No.: 051481-5041

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Frederic GAGNON

Application No.: 09/888,618

Filed: 26 June 2001

For: AIR MASS FLOW CONTROLLER  
VALVE

Confirmation No.: 8348

Group Art Unit: 3753

Examiner: R. Krishnamurthy

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mall Stop Amendment  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

AMENDMENT TRANSMITTAL FORM

Sir:

1. Transmitted herewith is an Amendment Under 37 C.F.R. § 1.111 in reply to the Office  
Action dated 18 March 2004.

2. Additional papers enclosed:

- [ ] Change of Correspondence Address
- [ ] Request for Approval of Drawing Change
- [ ] Drawings: [ ] Formal [ ] Informal (Correction)
- [ ] Information Disclosure Statement
- [ ] Form PTO-1449, \_\_\_\_\_ reference(s) included
- [ ] Citations
- [ ] Declaration of Biological Deposit
- [ ] Submission of "Sequence Listing," computer readable copy and/or amendment  
pertaining thereto for biotechnology invention containing nucleotide and/or amino  
acid sequence.

Attorney Docket No.: 051481-5041  
Application No.: 10/290,482  
Page 2 of 3

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

Extension of time fee due with this request: \$420.00

If an additional extension of time is required, please consider this a Petition therefore.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefore of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Attorney Docket No.: 051481-5041  
 Application No.: 10/290,482  
 Page 3 of 3

5. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(e))	19	minus	19	0	x \$18 each =	+ \$ 0.00
Independent Claims (37 C.F.R. § 1.16(b))	6	minus	6	0	x \$84 each =	+ \$ 0.00
[ ] First presentation of Multiple dependent claim(s)					\$270.00	+ \$ 0.00
<b>SUB-TOTAL =</b>						<b>\$ 0.00</b>
Reduction by ½ for filing by a small entity						- \$ 0.00
<b>TOTAL FEE =</b>						<b>\$ 0.00</b>

6. Fee Payment

[ ] No fee is to be paid at this time.

[X] The Commissioner is hereby authorized to charge \$0.00 to Deposit Account No. 50-0310.

[X] The Commissioner is hereby authorized to charge any additional fees that may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Date: 19 July 2004

By: Scott J. Anchell

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 Reg. No. 35,035

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